



General Assembly Security Council

Distr.
GENERAL

A/47/952
S/25839
25 May 1993
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-seventh session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL ON
THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Forty-eighth year

Note verbale dated 21 May 1993 from the Permanent Mission of
Egypt to the United Nations addressed to the Secretary-General

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Secretary-General and, with reference to his note dated 12 April 1993 soliciting the comments and suggestions of Governments on the question of assistance to third countries that sustain economic damage arising from the imposition of sanctions under Chapter VII of the Charter of the United Nations, has the honour to present hereunder the observations and suggestions of the Egyptian Government in this regard.

The question of providing assistance to third countries that sustain damage arising from the imposition of sanctions has taken on particular importance in light of the fact that the Security Council has proceeded to impose economic sanctions in the framework of its responsibility for the maintenance of international peace and security and of the damage arising from the imposition of sanctions subsequently sustained by certain countries as a result of their compliance with the provisions of the resolutions under which the sanctions were imposed. The objective of the framers of the Charter in incorporating the provisions of Article 50 should therefore be carefully and meticulously examined and agreement should be reached on the measures that must be taken to mitigate suffering and prevent serious damage to any country.

1. In the first instance, stress should be placed on the principle of the equitable sharing of the costs and responsibilities of the collective security system so that no country or group of countries bears a disproportionate or unwarranted burden by virtue of its participation in the system.
2. The experience of the recent past has clearly shown that there is a need to re-examine the provisions of Article 50 of the Charter, and it has been demonstrated that the international financial institutions presently in

existence are unable to respond in a rapid and effective manner to the enormous number of claims presented by countries that have sustained damage. This is primarily due to the fact that these institutions lack the appropriate mechanisms and the necessary funds to respond to the requests made by countries. This is altogether natural, since they were not originally established for this purpose. Perhaps the truest testimony to the foregoing is the continued suffering of a large number of countries and their concern to devise an alternative system to prevent the aggravation or repetition of such suffering.

3. Article 50 of the Charter states that "... any [other] State, ..., which finds itself confronted with [special] economic problems [arising from the carrying out of those measures] shall have the right to consult the Security Council with regard to a solution of those problems".

This right to consult raises three basic issues, namely:

(a) The fact that consultation between a country that has sustained damage and the Security Council is a right guaranteed under the Charter;

(b) The fact that consultation is not a goal in itself but that the objective is to solve the problems arising from the imposition of sanctions;

(c) The timing of the consultation, inasmuch as it is clear that, together with consultation after the imposition of sanctions, consultation before the imposition of sanctions with countries that may sustain damage would undoubtedly be very useful as a preventive measure contributing to the limitation of the scale and range of the negative impact there might be on the economies of third countries arising out of the imposition of the sanctions.

4. In light of the foregoing, Egypt proposes the establishment of an appropriate mechanism taking the form of a standing committee of the Council, in accordance with Article 29 of the Charter, to perform two basic functions on its behalf:

First, to consult with countries susceptible to damage before imposing sanctions, although it should be stressed that the objective of such consultation would be restricted to exploring and identifying the most appropriate form for sanctions that would achieve their objective without inflicting unwarranted damage on any third party and should not, under any circumstances, have the goal of placing limitations on the principle of sanctions itself, which would remain of the essence of the Council's authority;

Secondly, to consult with countries that have sustained damage after the imposition of sanctions and to report to the Council in that regard, while bearing in mind that relative damage may differ from one country to another according to the overall scale of the economy and the extent of its dependence on a specific sector or sectors that may be affected by the imposition of sanctions on another country. This will help to direct assistance to claimant countries in terms of the proportionate and equitable distribution of any resources that become available for that purpose.

5. In an endeavour to secure the financial resources required to meet the claims of countries that have sustained damage, it may be appropriate for a fund to be established that is basically sustained by assessed contributions on the basis of the scale of assessments for peace-keeping operations as an outcome of activities mandated by the Security Council. At the same time, countries should be urged to make voluntary contributions to the fund as their participation in meeting the responsibilities of the collective security system.

The Permanent Mission of the Arab Republic of Egypt requests that this note be circulated as an official document of the forty-seventh session of the General Assembly, under agenda item 10, and of the Security Council.

The Permanent Mission of the Arab Republic of Egypt to the United Nations takes this opportunity to convey to the Secretary-General the assurances of its highest consideration.



General Assembly

Distr.
GENERAL

A/47/953
26 May 1993

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 19

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Letter dated 26 May 1993 from the President of the Security Council to the Secretary-General

I have the honour to request you to transmit to the resumed forty-seventh session of the General Assembly the following resolution (resolution 828 (1993)) on the admission of Eritrea to membership in the United Nations, adopted by the Security Council at its 3218th meeting, on 26 May 1993:

"The Security Council,

"Having examined the application of Eritrea for admission to the United Nations, 1/

"Recommends to the General Assembly that Eritrea be admitted to membership in the United Nations.

"1/ A/47/948-S/25793."

I would point out that, when adopting the aforementioned resolution, the Security Council decided to have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure in order to submit its recommendation to the General Assembly at its resumed forty-seventh session.

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the General

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Assembly at its resumed forty-seventh session, for its information, the verbatim records of the 3215th and 3218th meetings of the Council, at which the application of Eritrea was considered.

(Signed) Yuliy M. VORONTSOV
President of the Security Council



General Assembly

Distr.
GENERAL

A/47/954
26 May 1993

ORIGINAL: ENGLISH

Forty-seventh session
Agenda item 19

ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Letter dated 26 May 1993 from the President of the
Security Council to the Secretary-General

I have the honour to request you to transmit to the resumed forty-seventh session of the General Assembly the following resolution (resolution 829 (1993)) on the admission of the Principality of Monaco to membership in the United Nations, adopted by the Security Council at its 3219th meeting, on 26 May 1993:

"The Security Council,

"Having examined the application of the Principality of Monaco for admission to the United Nations, 1/

"Recommends to the General Assembly that the Principality of Monaco be admitted to membership in the United Nations.

"1/ A/47/950-S/25796."

I would point out that, when adopting the aforementioned resolution, the Security Council decided to have recourse to the provisions of the last paragraph of rule 60 of its provisional rules of procedure in order to submit its recommendation to the General Assembly at its resumed forty-seventh session.

In accordance with rule 60, paragraph 2, of the provisional rules of procedure of the Security Council, I also request you to transmit to the forty-seventh session of the General Assembly at its resumed forty-seventh

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session, for its information, the verbatim records of the 3216th and 3219th meetings of the Council, at which the application of the Principality of Monaco was considered.

(Signed) Yuliy M. VORONTSOV
President of the Security Council



General Assembly

Distr.
GENERAL

A/47/955
26 May 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session

REQUEST FOR THE INCLUSION OF ADDITIONAL ITEMS IN THE AGENDA
OF THE FORTY-SEVENTH SESSION

FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF
PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL
HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER
YUGOSLAVIA SINCE 1991

ELECTION OF JUDGES OF THE INTERNATIONAL TRIBUNAL FOR
THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS
VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED
IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Note by the Secretary-General

1. Following the adoption of Security Council resolution 827 (1993) of 25 May 1993 on the establishment of an International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the Secretary-General has the honour to request, pursuant to rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the forty-seventh session of two additional items, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" and "Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", which are of an important and urgent character.
2. Owing to the nature of the first item, the Secretary-General requests that it be allocated to the Fifth Committee. The Secretary-General requests that the second item be considered directly in plenary meeting.



General Assembly

Distr.
GENERAL

A/47/956
28 May 1993
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Forty-seventh session
Agenda item 36

THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF
PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

Letter dated 27 May 1993 from the Permanent Representative
of Denmark to the United Nations addressed to the
Secretary-General

I have the honour to transmit herewith the text in English and French of a
statement on Guatemala issued by the European Community and its member States on
27 May 1993.

I should be grateful if you would have the text of the present letter and
its annex circulated as an official document of the forty-seventh session of the
General Assembly under agenda item 36.

(Signed) Bent HAAKONSEN
Ambassador
Permanent Representative
of Denmark to the United Nations

ANNEX

Statement on Guatemala issued by the European Community and
its member States on 27 May 1993

The European Community and its member States express their utmost concern about the decision of President Serrano on 25 May 1993 to break off constitutional order and, in particular, to dissolve Parliament and the Supreme Court. These measures undermine the democratic institutions and violate civil liberties.

The Community and its member States strongly urge President Serrano to re-establish without delay the democratic institutions which are fundamental to a successful conclusion of the peace process and the full observance of human rights.



General Assembly Security Council

Distr.
GENERAL

A/47/957
S/25858
28 May 1993

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-eighth year

Letter dated 28 May 1993 from the Permanent Representative
of Indonesia to the United Nations addressed to the
Secretary-General

I have the honour, as Chairman of the Coordinating Bureau of the Non-Aligned Movement (NAM), to enclose herewith the Declaration adopted by the NAM Committee on Palestine at ministerial level on 12 May 1993 in Bali, Indonesia (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as an official document of the forty-seventh session of the General Assembly, under agenda items 30 and 35, and of the Security Council.

(Signed) Nugroho WISNUMURTI
Ambassador
Permanent Representative

ANNEX

Declaration of the Committee on Palestine of the
Non-Aligned Movement

1. The Committee on Palestine of the Non-Aligned Movement (NAM) met at ministerial level on 12 May 1993 in Bali, Indonesia, under the chairmanship of His Excellency the Foreign Minister of Indonesia, Mr. Ali Alatas. It was attended by H.E. Mr. A. S. M. Mustafizur Rahman, Minister for Foreign Affairs, Bangladesh; H.E. Mr. R. L. Bhatia, Minister of State for External Affairs, India; H.E. Mr. Farouq Qaddoumi, Minister for Foreign Affairs, Palestine; H.E. Dr. Nathan M. Shamuyarira, Minister for Foreign Affairs, Zimbabwe; H.E. Mr. Hocine Djoudi, Secretary-General, Ministry of Foreign Affairs, Algeria; H.E. Mr. Raul Taladrid, Vice-President of the State Committee for Economic Cooperation, Cuba; H.E. Hon. Dr. D. W. C. Matutu, Deputy Minister for Commerce, Trade and Industry, Zambia; and H.E. Mr. Alia Diene Drame, Economic Adviser to the Prime Minister, Senegal.
2. H.E. Mr. Farouq Qaddoumi briefed the meeting on the current situation in the occupied Palestinian territory, including Jerusalem (Al-Quds), and also on the latest developments in the ongoing peace process in the Middle East.
3. As a result of the persistence of Israel, the occupying Power, in its policies and practices in the occupied Palestinian territory, including Jerusalem (Al-Quds), the situation continues to be of grave concern.
4. Israel, in continued violation of its legal obligations under the Fourth Geneva Convention of 1949, has even escalated its brutal repression against the Palestinian people. Mass deportations tantamount to mass force transfer of Palestinians were condemned by the United Nations Security Council in resolution 799 (1992). Israel persistently refuses to carry out the decision of the Security Council to ensure the safe, total and immediate return of the deportees to their homes. The members of the Committee are of the opinion that the Security Council should be called upon to perform its functions and carry out its duties and responsibilities, so as to ensure respect for the Council's decisions.
5. The members expressed grave concern and alarm over the imposition by Israel of collective punishment, long curfews and closure of the occupied Palestinian territory, which resulted in grave economic hardships. They recalled that the Committee meeting held under the chairmanship of H.E. President Soeharto of Indonesia on 4 September 1992 warned of grave consequences as a result of the destruction of the economic infrastructure of the Palestinians under occupation.
6. Of particular concern is the declared position of the Government of Israel and its persistence in implementing its policies and practices in Jerusalem (Al-Quds) by continuing to establish more settlements and imposing high taxation on Palestinian inhabitants of Jerusalem. The members of the Committee consider such acts as flagrant violations of United Nations Security Council resolutions 252 (1968), 465 (1980) and 478 (1980) and other relevant resolutions of the United Nations General Assembly. They affirmed the commitment of NAM to the above resolutions and consider that all Israeli practices aiming at changing the

status and demographic composition of Jerusalem (Al-Quds) and the illegal establishment of settlements in Jerusalem and in all the occupied Palestinian and other Arab territories are null and void.

7. The members recalled Security Council resolution 681 (1990) and reaffirmed their call for immediate international protection to protect the Palestinians under occupation against the violations by Israel of the provisions of the Fourth Geneva Convention and the principles and objectives of international humanitarian law. The Ministers were of the opinion that the protection of the human rights of Palestinians under the occupation should be ensured and addressed by the World Conference on Human Rights to be held at Vienna in June 1993.

8. On the question of the ongoing peace process, the members highly appreciated the flexibility and wisdom of the Palestinian leadership, namely the PLO, to contribute towards the achievement of a just and comprehensive peace. They were of the opinion that the procrastinating method of negotiation by Israel, and its failure to adhere to the basis of the ongoing process, namely, the implementation of United Nations Security Council resolutions 242 (1967) and 338 (1973), land for peace, and the guaranteeing of the national and legitimate political rights of the Palestinian people, constitute an obstacle and not a contribution to the ongoing process. The members were of the opinion that such a process could lead to peace only when it is based on Israel's withdrawal from all the occupied Palestinian territory, including Jerusalem and all other occupied Arab territories, and which will guarantee the exercise by the Palestinian people of its inalienable rights.

9. The members of the Committee called for a more active involvement of the United Nations and its agencies, particularly in economic development of the Arab occupied territories. They reiterated the continuing responsibility of the United Nations on the question of Palestine.

10. They agreed that the principles of the Charter of the United Nations and the relevant resolutions, particularly the resolutions of the Security Council, provide the correct and best basis for the achievement of a comprehensive, just and durable peace in the region.

11. The members of the Committee expressed their gratitude and appreciation to His Excellency President Soeharto, as Chairman of NAM, for the decision he has taken to send a special envoy to the Arab countries taking part in the peace process at this crucial stage of negotiations. They also suggested to the Chairman of NAM that the same envoy could go to the two co-sponsoring countries of the peace process.

12. The members of the Committee will continue their efforts within the Movement, the United Nations and all other regional and international forums to work for and attain the long-sought peace.
